

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNIVERSITAS EDUCATION, LLC,

Petitioner,

v.

NOVA GROUP, INC, as trustee, sponsor, and
fiduciary of THE CHARTER OAK TRUST
WELFARE BENEFIT PLAN,

Respondent.

No.: 1:11-cv-1590-LTS-HBP

Hon. Laura Taylor Swain

**ORAL ARGUMENT
REQUESTED**

NOVA GROUP, INC, as trustee, sponsor, and
fiduciary of THE CHARTER OAK TRUST
WELFARE BENEFIT PLAN,

Petitioner,

v.

UNIVERSITAS EDUCATION, LLC,

Respondent.

No.: 1:11-cv-8726-LTS-HBP

PLEASE TAKE NOTICE that, relying on the accompanying Memorandum of Law, dated February 19, 2021, and the accompanying Declaration of Dan Carpenter, dated February 19, 2021, and all the pleadings and prior proceedings had in this matter, Respondent Grist Mill Capital, LLC (“GMC”) through its counsel, Mintz & Gold LLP, will move this Court, before the Honorable Laura Taylor Swain, at the United States District Court, Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007-1312 for an order relieving GMC from two judgments in favor of

Judgment Creditor Universitas Education, LLC: (i) *Universitas Education, LLC v. Nova Group, Inc.*, No.: 1:11 -cv-1590-LTS-HBP docket (ECF Doc. No. 475); and (ii) *Nova Group, Inc v. Universitas Educ., LLC*, No. 1:11-cv-8726-LTS-HBP (ECF Doc. No. 304) under Fed. R. Civ. P. 60(b)(4) and Fed. R. Civ. P. 60(b)(6).

We certify that we have complied with this Court's requirements under Individual Practices A.2.b.i to make our best efforts to resolve the matters addressed in this motion informally. The parties exchanged correspondence regarding the relief sought in this motion and on January 5, 2020 the parties discussed that relief in a telephonic conference.

GMC respectfully requests that the Court grant this Motion, as well as such other and further relief as the Court deems just and proper.

Dated: New York, New York
February 19, 2021

Respectfully submitted,

MINTZ & GOLD LLP

/s/ Roger Stavis
Roger Stavis
Kevin M. Brown
600 Third Avenue, 25th Floor
New York, New York 10016
(212) 696-4848 (t)
(212) 696-1231 (f)
stavis@mintzandgold.com
brown@mintzandgold.com
*Attorneys for respondent Grist Mill
Capital, LLC*

To: All Counsel of Record (via ECF)p